

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

REX EAGON and DIANA EAGON,
individually and as co-administrators of the
ESTATE OF DARIEN M. EAGON,

Plaintiffs,

v.

CIVIL ACTION NO. 3:23-0013

CABELL COUNTY EMERGENCY MEDICAL SERVICES,
UNIDENTIFIED CABELL COUNTY EMERGENCY MEDICAL SERVICES AGENT,
GORDON MERRY III, and
JOHN DOE NON-PARTY FAULT ENTITY IDENTIFIED BY CO-DEFENDANTS,


Defendants.

ORDER

Pending before the Court is Defendant Cabell County Emergency Services' Motion in Limine to Exclude Plaintiffs' Expert, Gary Ludwig. ECF No. 125. The Court held a hearing on the motion on the July 2, 2025. The Court generally **DENIES** the motion. As stated at the hearing, however, the Court **FINDS** that several of Mr. Ludwig's specific opinions are not sufficiently supported as an independent standard of care and, therefore, he cannot characterize them as such at trial. The Court also **DENIES** Defendants' companion Motion in Limine to Exclude Statements Regarding Sheriff's Department and Mental Hygiene Process. ECF No. 129.

The Court **DIRECTS** the Clerk to send a copy of this Memorandum Opinion and Order to counsel of record, and any unrepresented parties.

ENTER: July 3, 2025

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE